

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PROMOS TECHNOLOGIES, INC.,)	
)	
Plaintiff,)	
)	C.A. No. 06-788 (JJF)
v.)	
)	
FREESCALE SEMICONDUCTOR, INC.,)	
)	
Defendant.)	
)	

NOTICE OF DEPOSITION OF PROMOS TECHNOLOGIES

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Freescale Semiconductor, Inc. ("Freescale") will take the oral deposition of ProMOS Technologies, Inc. ("ProMOS") on the matters set forth in the attached Schedule A. ProMOS shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and at least five days before the date set for the deposition, ProMOS shall identify, by name and position, each person so designated and set forth the matters on which that person will testify. The deposition will commence at 9:00 a.m. on August 27, 2007, at Morris, Nichols, Arsht & Tunnell LLP, 1201 Market Street, Wilmington, Delaware 19899, or at such other time, date, and place as may be agreed to with ProMOS's counsel. The deposition will be taken before an officer authorized to administer oaths and will be recorded by audio, stenographic and/or videographic means.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

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August 16, 2007
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Attorneys for Freescale Semiconductor, Inc.

SCHEDULE A

Definitions and Instructions

1. “ProMOS” shall mean ProMOS Technologies, Inc. and all parents, subsidiaries, and affiliates thereof, all divisions, predecessors, successors, and assigns of each of the foregoing, and all officers, employees, directors, agents, consultants, attorneys, and all other persons acting or purporting to act on behalf of or under the control of any of the foregoing.

2. “Patents-in-Suit” means U.S. Patent Nos. 5,488,709, (“the ‘709 patent”), 5,732,241 (“the ‘241 patent”), and 6,670,267 (“the ‘267 patent”).

3. “Refer,” “referring,” “relate,” and “relating” shall be construed to encompass all things and information which constitute, mention, refer or relate in any way, in whole or in part, to any one or more of the matters described in the discovery request involved.

4. “And” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

TOPICS

1. Documents and things (and their location) relating to the making of any alleged invention claimed in the Patents-in-Suit, including without limitation the circumstances leading up to the idea of the invention, the persons involved and their contribution to the idea of the invention, and the work involved in and circumstances relating to reducing the invention to practice.

2. Documents and things (and their location) relating to the design, development, manufacture, operation and testing of any alleged invention claimed in the Patents-in-Suit, including any prototypes or products embodying or leading up to any alleged invention claimed in the Patents-in-Suit.

3. Documents and things (and their location) that evidence the design or features of any cache memories or cache controllers, or that evidence how they are accessed or used, contained in any product or prototype embodying or leading up to any alleged invention claimed in the Patents-in-Suit.

4. Documents and things (and their location) relating to any person's or entity's ownership of the Patents-in-Suit, including but not limited to, acquisitions, assignments and transfers of ownership of the Patents-in-Suit.

5. Documents and things (and their location) relating to any person's or entity's valuation or evaluation of the Patents-in-Suit.

6. The ownership of the Patents-in-Suit, including but not limited to, acquisitions, assignments and transfers of ownership of the Patents-in-Suit and any person's or entity's valuation or evaluation of the Patents-in-Suit.

7. Documents and things (and their location) relating to any person's or entity's effort to license, transfer any rights to, provide a covenant not to sue with respect to, or enforce the Patents-in-Suit.

8. Documents and things (and their location) relating to any applications on which the Patents-in-Suit rely for an earlier filing date, any continuation, divisional, abandoned, continuation-in-part, or CPA applications of the Patents-in-Suit and foreign counterparts of the Patents-in-Suit, including all prosecution history files.

9. Identification of all persons involved in each of the foregoing topics, including current location, and their roles.

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2007, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to the following:

John G. Day, Esquire
Steven J. Balick, Esquire
ASHBY & GEDDES

Additionally, I hereby certify that true and correct copies of the foregoing were caused to be served on August 16, 2007 upon the following individuals in the manner indicated:

BY E-MAIL AND HAND DELIVERY

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